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OCT 21 2005

PATENT APPLICATION
Docket No. 9793-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Patrick J. Whelan Confirmation No. 8251
Serial No. 10/682,258 Examiner: Lee D. Wilson
Filed: October 8, 2003 Group Art Unit: 3723
For: PRYING TOOL WITH POSITIONABLE HANDLE
Date: October 21, 2005

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted:

- ☐ Consider the amendment(s) reply under 37 C.F.R. § 1.116 previously filed on _____.
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- ☐ Other:

b. ☒ Enclosed is:

- ☒ Amendment After Final Rejection
- ☐ Affidavit(s)/Declaration(s)
- ☐ Information Disclosure Statement (IDS)
- ☐ Other

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2. Miscellaneous

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required).

☐ Other:

3. Fees: (Note: The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed)

☒ RCE fee required under 37 C.F.R. § 1.17(e)

☒ \$395 small entity
☐ \$790 large entity

CLAIMS AS AMENDED					
For:	Number After Amendment	Previous Number	Extra	Rate	Additional Fee
Total Claims	26	-26*	0	x \$ 25 =	\$0
Independent Claims	4	-4**	0	x \$100 =	\$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0

☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

	small entity	large entity
<input type="checkbox"/> Extension of Time - 1 st	<input type="checkbox"/> \$60	<input type="checkbox"/> \$120
<input type="checkbox"/> Extension of Time - 2 nd	<input type="checkbox"/> \$225	<input type="checkbox"/> \$450
<input type="checkbox"/> Extension of Time - 3 rd	<input type="checkbox"/> \$510	<input type="checkbox"/> \$1020

☐ Suspension of application fee (37 C.F.R. § 1.17(i))--\$130

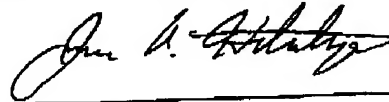
☒ PTO Form 2038 authorizing credit card payment is attached.

☒ Any deficiency or overpayment should be charged or credited to Deposit Account No. 13-1703.

Customer No. 20575

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.



James A. Hilsenteger
 Reg. No. 53,023

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